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**CENTRAL FAX CENTER****JUL 23 2007****REMARKS**

The Applicant's representative thanks the Examiner for the courtesies extended during the telephone conference of July 16, 2007. The purpose of the telephone conference, initiated by the Applicant's representative, was to discuss the desirability of adding a verbal "formula" to the specification to more directly describe the numerical formula set forth on page 19, line 3. With the Examiner's kind approval, the Applicant submits the above amendment for consideration for entry.

The Applicant believes that the verbal formula for the calculation of performance level 783 does not constitute new matter, in light of the overall disclosure as originally filed. Support is as follows:

As set forth beginning on page 18, line 22, the performance level 783 of the record 786 (Fig. 7) is calculated from a record 772 of the total volume table 76 (Fig. 6), the record 723 of the application requirement table 71 (Fig. 3), and the record 742 of the performance table 73 (Fig. 4).

Write performance 735 is a value defined based on a performance value (M byte/sec) of a continuous data transfer rate a storage device provides. Specification at page 16, lines 4-7. Write performance level 735 is provided in performance table 73 indexed according to drive type name. Specification at page 15, line 24 – page 16, line 7. For the formula shown on page 19 of the specification, write performance level 1500 is selected for the calculation of performance level 783 by reference to volume ID 772 in total volume table 76 (Fig. 6), which gives type name RAID 400 in column 762.

Write performance value 716 is an evaluation function coefficient taken from application requirement table 71 (Fig. 3). It is used to calculate the performance value of the volume table per application, and is indexed by application type 711 in application

requirement table 71. In the calculation of performance level 783 shown on page 19 of the specification, the write performance value 0.5 is taken for the application type "image file" 723 in accordance with the application type of the record 786 in volume table 78.

Specification at page 15, lines 14-15.

The read performance 736 is, like write performance 735, a value defined based on a performance value of a continuous data transfer rate a storage device provides.

Specification at page 16, lines 4-7. The read performance 736 is also indexed by type name 731 in performance table 73, and for record 742 (RAID 400, derived from total volume table 76), a read performance of 2400 is derived.

Read performance value 717, like write performance value 716, is an evaluation function coefficient derived from application requirement table 71, indexed by application type 711. For application type "image file" 723, the read performance value 4.0 is selected.

IOPS 737 represents the maximum number of I/O instructions processed per second for each type, and is listed in performance table 73, indexed by type name 731.

Specification at page 16, lines 7-8. For record 742, an IOPS of 20 is derived.

Finally IOPS 718 is an evaluation function coefficient that represents the required number of I/O instructions per second for application type "image file" 723, derived from application requirement table 71. To calculate the performance level 783, the corresponding IOPS 718 of 40 is derived.

In accordance with the foregoing description, the performance level 783 of 11,150 is calculated according to the verbal formula.

Upon entry of the foregoing formula, the Applicant believes that the outstanding issues set forth in the Office Action mailed February 9, 2007 have been fully addressed, and the application should be in condition for allowance. However, if the Examiner wishes

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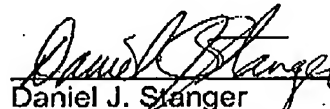
to discuss the above or any other aspect of the application, the Examiner is invited to call the Applicant's representative at the number below before sending a final Office Action.

In view of the foregoing amendments and remarks, the Applicant requests reconsideration of the rejection and allowance of the claims.

To the extent necessary, the Applicant petitions for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. 520.43063X00).

Respectfully submitted,

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